IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)			
	Plaintiff,) 8:11CR179)	
	vs.) DETENTION ORDER	
JO	NATHON TREJO,		
	Defendant.	;	
A.	Order For Detention After conducting a detention hearing purs Reform Act on May 31, 2011, the Court ord pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	The Court orders the defendant's detention X By a preponderance of the evide conditions will reasonably assure the	n because it finds: ence that no condition or combination of appearance of the defendant as required. It no condition or combination of conditions	
C.	distribute methamphetan 846 and the possession of (Count VI) in violation minimum sentence of five forty years imprisonmen (Counts II-V) in violation maximum sentence of possession of a firearm be of 18 U.S.C. § 922(g) can imprisonment. (b) The offense is a crime of the control of the cont	e offense charged: y to distribute and possess with intent to nine (Count I) in violation of 21 U.S.C. § with intent to distribute methamphetamine of 21 U.S.C. § 841(a)(1) both carry a e years imprisonment and a maximum of at; the distribution of methamphetamine of 21 U.S.C. § 841(a)(1) each carry a twenty years imprisonment; and the by a convicted felon (Count VII) in violation carries a maximum sentence of ten years	
	may affect wheth The defendant h X The defendant h X The defendant h The defendant is	appears to have a mental condition which the defendant will appear. It is not a mental condition which the defendant will appear. It is no family ties in the area. It is no steady employment. It is no substantial financial resources. It is not a long time resident of the community. It is not have any significant community.	

DETENTION ORDER - Page 2

	 X The defendant has a history relating to drug abuse. X The defendant has a history relating to alcohol abuse. X The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at
(b)	court proceedings. At the time of the current arrest, the defendant was on: Probation
	Parole Release pending trial, sentence, appeal or completion of sentence.
(c)	Other Factors: The defendant is an illegal alien and is subject to
	deportation. The defendant is a legal alien and will be subject to deportation if convicted.
	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
releas	nature and seriousness of the danger posed by the defendant's se are as follows: The nature of the charges in the Indictment and the idant's substance abuse and criminal history.
X (5) Rebu	ttable Presumptions
on th 3142	ermining that the defendant should be detained, the Court also relied the following rebuttable presumption(s) contained in 18 U.S.C. § (e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
X (b)	 (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or X (3) A controlled substance violation which has a maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release. That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of
	violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

DETENTION ORDER - Page 3

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: May 31, 2011. BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge